

REMARKS

Claims 1-14 are presently pending in the application. Claims 1, 3, 5, 6, 7, 8, 10, and 12-14 have been amended. Claims 1-14 are rejected. Favorable reconsideration of the application in view of the following remarks is respectfully requested.

The abstract of the disclosure has been objected to. This has been corrected.

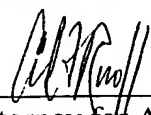
Claims 1 and 8 have been rejected under 35 USC § 103(a) as being unpatentable over Stephenson et al (6,423,368) in view of Yoshinaga et al (5,272,552). The Examiner has stated that the arguments presented in the response dated October 20, 2006 are not persuasive. Specifically, the Examiner states that there is no limitation in claim 1 or 8 that a flash lamp emits a beam of incoherent full spectrum white light. Applicants have amended claims 1 and 8 to state that the flash lamp emits visible and infrared radiation. In addition, Applicants have amended the claims 3, 5, 6, 7, 10, and 12-14 to substitute the term radiation for light as that is more technically correct terminology. Support for these amendments are found on page 12 first full paragraph that states the flash lamp emits visible and infrared radiation and Figure 8 which shows the intensity of the flash lamp at wavelengths covered by the visible and infrared spectrum. With this amendment it is clear that the present invention is not rendered obvious by Stephenson '368 in view of Yoshinaga. The Yoshinaga reference requires heating of the liquid crystal to a temperature above the glass transition point, alignment of the helical pitch of the liquid crystal and cooling of the liquid crystal below the glass transition point. The heating is effected by a laser or an electric field (col 43, lines 16-26). Applicants invention claims flash lamp that emits a visible and infrared radiation ((page 12, line 5-7 of the specification). A laser as required by Yoshinaga requires a laser source (col 41, lines 38-40). A laser by definition emits photons in a coherent beam at a specified wavelength. This coherent beam is at one wavelength. Thus, the Examiner in combining Yoshinaga with Stephenson would not obtain Applicants invention. The combination would necessarily yield a laser lamp which would not be effective. Since Applicants claims are to a flash lamp that emits visible and infrared radiation and Yoshinaga teaches a laser lamp the rejection is defective.

Claims 2, 4-7, 9 and 11-14 have been rejected under 35 USC § 103(a) as being unpatentable over Stephenson et al (6,423,368) in view of Yoshinaga et al (5,272,552) and Anderson et al (EP 0,795,771). Anderson teaches an illumination system for xerographic systems. [paragraph 0001]. Therefore, it is not analogous to a cholesteric display writer and method. Since the primary combination of Stephenson '368 in view of Yoshinaga is defective as argued above, i.e. a laser would necessarily be included in the combination, Anderson does nothing to correct this deficiency. The Examiner in reading Applicants specification has reconstructed the claimed invention through hindsight. To pick an illumination lamp for a xerographic system and say that one skilled in the art would include this in a cholesteric display writer that would necessarily require a laser light source as for illuminating the display, is evidence of hindsight reconstruction. This is especially true when Yoshinaga teaches a laser and Applicants claim a flash lamp. The Examiner has not pointed to any teaching in Anderson that provides such motivation. Therefore, Applicant respectfully requests that this rejection be withdrawn.

Claims 3-7 and 10-14 have been rejected under 35 USC § 103(a) as being unpatentable over Stephenson et al (6,423,368) in view of Yoshinaga et al (5,272,552) and Huang et al (5,467,146). The Examiner admits that the previous prior art fails to disclose a flash lamp with a reflector and a digital micro-mirror light modulator. The Examiner cites Huang for teaching a reflector and a digital micro-mirror light modulator. However, even if one accepted the Examiners reasoning, the combination above would include a laser rather than a flash lamp that emits visible and infrared radiation. Thus, this rejection should be removed.

It is believed that the foregoing is a complete response to the Office Action and that the claims are in condition for allowance. Favorable reconsideration and early passage to issue is therefore earnestly solicited.

Respectfully submitted,



Attorney for Applicant(s)
Registration No. 32,241

Carl F. Ruoff/cak
Telephone: 585-477-7418
Facsimile: 585-477-1148